

**Equal Employment Opportunity Data Posted**  
**Pursuant to the No Fear Act:**  
**Department of Health and Human Services**  
National Institutes of Health  
For 3rd Quarter Period ending June 30, 2004

<b>29 CFR §1614.704(a) - (c)</b>		<b>29 CFR §1614.705 Comparative Data</b>				
<b>Complaint Activity</b>	<b>FY2004 end of 3rd Qtr</b>	<b>Previous Fiscal Year Data</b>				
		<b>2003</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>
Number of Complaints Filed in FY 1614.704(a)	47	64	66	56	91	77
Number of Complainants 1614.704(b)	47	64	45	52	73	63
Repeat Filers 1614.704(c)	0	0	1	2	5	12

<b>29 CFR §1614.704(d)</b>		<b>29 CFR §1614.705 Comparative Data</b>				
<b>Complaints by Basis</b>	<b>FY2004 end of 3rd Qtr</b>	<b>Previous Fiscal Year Data</b>				
		<b>2003</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>
Race	22	33	34	46	85	63
Color	4	5	9	0	0	11
Religion	4	6	13	9	0	16
National Origin	4	6	4	24	17	36
Sex (including complaints filed under Equal Pay Act)	13	39	42	42	66	75
Disability	12	39	23	34	63	53
Age	19	28	30	37	44	47
Reprisal	24	63	52	57	45	31
Other	0	N/A	N/A	N/A	N/A	N/A

29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	FY2004 end of 3rd Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Appointment/Hire	2	2	2	0	0	2
Assignment of Duties	6	2	6	18	28	35
Awards	5	4	3	5	7	6
Conversion to Full-time	0	0	0	0	0	0
<b>Disciplinary Action</b>						
Demotion	0	1	0	0	0	3
Reprimand	3	6	5	12	18	5
Suspension	1	4	6	8	3	11
Removal	0	0	0	5	0	9
Other	0	0	0	0	0	0
Duty Hours	0	0	2	2	0	16
Evaluation Appraisal	4	4	2	9	18	19
Examination/Test	0	0	0	0	0	0
<b>Harassment</b>						
Non-Sexual	13	17	7	22	55	31
Sexual	0	1	2	7	12	2
Medical Examination	0	0	0	0	0	0
Pay (Including Overtime)	1	1	2	3	5	7
Promotion/Non-Selection	11	16	33	46	42	68
<b>Reassignment</b>						
Denied	1	0	0	0	0	3
Directed	0	1	4	12	5	8
Reasonable Accommodation	5	3	1	5	23	12
Reinstatement	0	1	0	0	0	0
Retirement	0	1	0	0	0	0
Termination	4	8	6	5	22	0
Terms/Conditions of Employment	7	13	0	14	9	15
Time and Attendance	3	2	2	19	23	29
Training	2	1	1	9	3	17
Other	0	0	0	46	50	85

<b>29 CFR §1614.704(f)</b>			
<b>Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."</b>		<b>2004 end of 3rd Qtr</b>	
		<b>Number</b>	<b>Average Days</b>
All complaints pending in Investigative Stage	1614.704(f)(1)	23	115
All complaints pending in Final Agency Action Stage		5	193
All complaints pending in which Hearing was not requested	1614.704(f)(2)	5	193
Time in Investigation Stage		5	142
Time to issue Final Agency Action		5	193
All complaints pending in which a Hearing was requested	1614.704(f)(3)	26	209
Time in Investigation Stage		26	145
Time to issue Final Agency Action		N/A	N/A

<b>29 CFR §1614.704(g)</b>		<b>29 CFR §1614.705 Comparative Data</b>				
<b>Complaints Dismissed by Agency Pursuant to 1614.107(a)</b>	<b>FY2004 end of 3rd Qtr</b>	<b>Previous Fiscal Year Data</b>				
		<b>2003</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>
Total Complaints Dismissed by Agency	8	6	N/A	N/A	N/A	N/A
Average days pending prior to dismissal	50	68	N/A	N/A	N/A	N/A

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination	2004		Previous Fiscal Year Data									
	3rd Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	0	0	1	100	0	0	0	0	0	0	1	100
Without Hearing 704(h)(2)	0	0	0	0	0	0	0	0	0	0	0	0
With Hearing 704(h)(3)	0	0	1	100	0	0	0	0	0	0	1	100

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	2004		Previous Fiscal Year Data									
	3rd Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	0	0	2	100	0	0	0	0	0	0	1	100
Number Findings Rendered Without Hearing 704(i)(2)	0	0	0	0	0	0	0	0	0	0	0	0
Number Findings Rendered After hearing 704 (I)(3)	0	0	2	100	0	0	0	0	0	0	1	100
Race	0	0	0	0	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Sex (include Equal Pay	0	0	1	50	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0	0	0	0	0
Reprisal	0	0	1	50	0	0	0	0	0	0	1	100

29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	2004		Previous Fiscal Year Data									
	3rd Qtr		2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
<b>Total Number Findings 704(j)(1)</b>	0	0	3	100	0	0	0	0	0	0	1	100
<b>Findings Without Hearing 704(j)(2)</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Findings After Hearing 704(j)(3)</b>	0	0	3	100	0	0	0	0	0	0	1	100
Appointment/Hire	0	0	0	0	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	1	33	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0	0	0	0	0
Conversion to Full-time	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Demotion	0	0	0	0	0	0	0	0	0	0	0	0
Reprimand	0	0	0	0	0	0	0	0	0	0	0	0
Suspension	0	0	0	0	0	0	0	0	0	0	0	0
Removal	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0	0	0	0	0
Evaluation Appraisal	0	0	0	0	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0	0	0	0	0
Harassment	0	0	0	0	0	0	0	0	0	0	0	0
Non-Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Sexual	0	0	0	0	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0	0	0	0	0
Pay (Including Overtime)	0	0	0	0	0	0	0	0	0	0	0	0
Promotion/Non-Selection	0	0	1	33	0	0	0	0	0	0	0	0
Reassignment	0	0	0	0	0	0	0	0	0	0	0	0
Denied	0	0	1	33	0	0	0	0	0	0	0	0
Directed	0	0	0	0	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0	0	0	0	0

Findings of Discrimination Rendered by Issue	2004 end of 3rd Qtr		Previous Fiscal Year Data									
			2003		2002		2001		2000		1999	
	#	%	#	%	#	%	#	%	#	%	#	%
Terms/Conditions of Employment	0	0	0	0	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0	0	0	1	100
Training	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0

29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data				
Complaints Pending From Previous Fiscal Years by Status	2004	Previous Fiscal Year Data				
	3rd Qtr	2003	2002	2001	2000	1999
Total complaints from previous Fiscal Years 704(k)(1)	61	95	66	159	186	163
Total Complainants 704(k)(2)	57	79	45	N/A	N/A	N/A
<b>Number complaints pending [as of 9/30]: 704(k)(3)</b>						
Investigation	23	32	32	105	162	109
ROI issued, pending Complainant's action	4	N/A	N/A	N/A	N/A	N/A
Hearing	26	50	25	39	7	36
Final Agency Action	5	13	9	15	17	18
Appeal with EEOC Office of Federal Operations	3	N/A	N/A	N/A	N/A	N/A

29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	2004 end of 3rd Qtr	Previous Fiscal Year Data				
		2003	2002	2001	2000	1999
Number Pending Completion of Investigation	23	32	32	105	162	109
Pending Investigations Over Required Time Frames	8	20	11	20	14	12